

## Law Enforcement - Mendocino (FINAL)

FOR OFFICE USE ONLY:

Version # \_\_\_\_\_

APP # 700338

### ITEM 1. Proposed Project

LE activities on the Mendocino NF include public information, education and enforcement, incident management, resource monitoring and protection, crime prevention, restitution, signing and barrier installation consistent with the Forest's "OHV Law Enforcement Plan." The LE Plan provides patrol coverage for public safety, wildlife, soils and habitat protection while sustaining OHV recreation opportunities on 241 miles of motorcycle, ATV and 4WD/dune buggy routes, 1,619 miles of roughly graded roads and 10 acres of open riding area within the Forest's 914,000 acres. These routes are complemented by six highly developed OHV staging areas. The Plan supports enforcement of all laws pertaining to OHV operation; emphasizing noise levels, resource protection and prevention of OHV trespass. LE activities stress public contact, face-to-face information and education, violation prevention, signing and protective barrier installation. MNF's OHV program is widely known as a "model" of successful and innovative management by both the OHV community and environmental interest groups.

This request supports U.S. Forest Service direction requiring OHVs on public lands to be "controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands and to minimize conflicts among the various uses of those lands (Travel Management Rule – November 9, 2005, 36 CFR part 212)." Over the last six years OHV visitation on the MNF has increased 16%, from 128,798 to 208,200. The most recent visitor use monitoring surveys that were conducted on the Mendocino NF show that 60% of all recreation visitors on the forest participate in OHV recreation.

Patrols provide interaction with the OHV public; reaching beyond the staging areas to the Forest's extensive trail system and remote areas. The MNF provides family oriented OHV recreation, and maintains a history of diligent enforcement of OHV laws indicative of these efforts. The following OHV law enforcement statistics were recorded in 2008 and 2009: 141 Violation Notices (2008) / 111 (2009); 75 Warning Notices (2008) / 46 (2009); 50 Incident Reports (2008) / 37 (2009); 10 Violation of State Law (2008) / 4 in (2009). LEOs patrol in the OHV emphasis areas on a regular basis.

Funding for regular reoccurring LEO patrol is not requested in this grant application. On holiday weekends and on days of OHV events held on the Forest, LE will provide extended coverage up to 12 hours each day, including night patrols. This is the only grant funding requested for LEO staff salaries. LEO coverage is augmented by 25 pay periods shared by up to 3 FPOs. FPOs enforce most OHV related laws as well as other resource, recreation and use related laws. OHV LE coverage is further supported by Cooperative Law Enforcement Agreements with Colusa, Glenn, and Lake County Sheriff's Offices. These agreements provide extra coverage for county officers to assist during OHV events and holiday weekends. The use of radar and GPS units, Alcohol Screen Devices, and decibel meters are integral for dealing with all aspects of OHV LE in an accurate and professional manner. The Forest has conducted sound checks during 22 organized Enduro events, 13 courtesy sound-check clinics and hundreds of routine and visitor requested compliance tests. In 2006, 17 injury accidents were recorded, with nine recorded in 2007. All OHV Technicians, FPOs, and LEOs are trained to assist the Sheriff's Office in Search and Rescue and injury accidents.

Maps, brochures, and signs are provided at staging areas, administrative sites and along Forest access routes. The MNF website provides updated information including current operating conditions and closures, as do 24-hour telephone recordings.

The Forest is experiencing a significant increase in hunters using ATVs. Funding assistance will continue efforts to educate this user group about the importance of staying on designated routes, spark arrestor requirements, legal sound levels, registration, riding double and helmet laws. Labor and cost effective no-dig barriers, fencing and gates were invented on the Mendocino NF and provide protection to sensitive resource and restoration areas.

Volunteers continue to play an important role in OHV enforcement efforts during the enduros held on the Forest. They help to educate OHV users by conducting pre-event sound testing and spark arrestor checks. Volunteers also assist with traffic control during OHV events. The all-volunteer National Motorcycle Patrol provides on-site emergency medical response

coverage for all enduro events hosted on the Grindstone RD and coordinates their efforts with the Sheriff's Department through the on-site Forest LEO's and FPO's.

## **ITEM 2. Project Coverage**

### **MENDOCINO**

Within the congressional boundary of the Mendocino NF are approximately 914,000 acres of national forest system lands. The LE Plan provides patrol coverage for public safety and protection for wildlife, soils and habitat while sustaining OHV recreation opportunities on 241 miles of motorcycle, ATV and 4WD/ routes. In addition to the designated OHV routes, there are 1,619 miles of roughly graded roads and 10 acres of open riding area legally accessible to OHVs within the Forest's 914,000 acres. These routes are complemented by six highly developed designated OHV staging areas. This encompasses those portions of the counties of Tehama, Glenn, Colusa, Lake and Mendocino within the congressional boundary of the Mendocino National Forest.

## **ITEM 3. Describe the frequency of the patrols**

### **MENDOCINO**

Law Enforcement Officers (LEOs) and Forest Protection Officers (FPOs) will provide regular reoccurring patrols of the OHV emphasis areas during the OHV season and hunting season which would primarily consist of all weekends and holidays for the enforcement of OHV laws, resource protection and public safety. LEOs and FPOs will also provide additional patrols on all special events including Enduros and Dual Sport events.

FPOs generally work during the daylight hours. They will provide the needed enforcement presence during these times, specifically in those areas accessible by vehicle. The FPO patrols will be augmented by LEOs who have staggered days off during the week but are available 24/7 for incident response.

## **ITEM 4. Deployment of Personnel**

Law Enforcement staffing on the Mendocino has increased from five in 2007 to eight currently. This staffing level allows for shift flexibility and increased coverage throughout the OHV season. At any time, any number of the eight LEOs can be pulled from their respective areas and assigned to the "hot spots."

The Mendocino is staffed with eight full range Law Enforcement Officers and seven Forest Protection Officers. In addition, during the four major holiday weekends (Thanksgiving, Martin Luther King, Presidents Day and Easter) up to four full range Law Enforcement Officers may be deployed from the surrounding forests. During these holiday weekends and special events, LEO shifts are staggered to better meet the needs of the public and to ensure safety for both the riders and FPOs.

## LE Certification

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### Law Enforcement - Page 1

1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

On the Mendocino NF, the Fout Springs OHV Staging Area (which includes Davis Flat, North Fork, South Fork, Fouts Springs, Mill Creek, Old Mill and Mill Valley), Little Stony OHV Staging Area, Grassy Patch, Rattlesnake Ridge and Doe Peak on the Grindstone District and Deer Valley OHV Staging Area, Penny Pines, Middle Creek OHV Staging Area, Lake Pillsbury Basin, Catfish Pond (Snow Mountain Wilderness is adjacent) and the Yuki Wilderness Corridor on the Upper Lake District are the highest enforcement priorities for the Mendocino NF. Each of these areas have cultural resources as well as sensitive habitats which must be protected by the enforcement of OHV regulations for public safety are paramount.

2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized off-highway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:

The proposed project is specifically directed towards the enforcement aspect of OHV recreation management. Engineering, education and enforcement are ongoing processes conducted by Forest OHV management personnel to ensure sustained OHV recreation on the Forests. Forest enforcement personnel educate the public and when necessary, enforce OHV and resource related regulations to provide two legs of the management triangle. The project will provide additional funding to maintain and improve the presence of enforcement personnel for education and enforcement.

3. Describe the Applicant's formal or informal cooperation with other law enforcement agencies:

The law enforcement agencies with geographical and jurisdictional commonalities with the Mendocino National Forest include: Tehama County Sheriff's Office, Glenn County Sheriff's Office, Colusa County Sheriff's Office, Lake County Sheriff's Office, Mendocino County Sheriff's Office, California Department of Fish and Game, and California Highway Patrol. The Forest Service currently has law enforcement patrol agreements with all five counties to document formal cooperation and reimbursement for law enforcement activities, including OHV enforcement, on national forest system lands.

Informal cooperation occurs on a daily basis between officers in the field.

### Law Enforcement - Page 2

4. Does the Applicant recover a portion of the law enforcement costs directly associated with privately sponsored OHV events where sponsors have obtained a local permit? (Please select Yes or No)



Yes



No

Explain

Although fees are collected in return for issuance of a permit for an event on national forest system lands these fees are not a significant source of funding and are routinely maintained for management of the permitting process.

5. The Applicant agrees to implement a public education program that includes information on safety programs available in the area and how to report OHV violations? (Please select Yes or No)



Yes



No

6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

Mandatory OHV safety training is required before agency personnel can operate OHVs in the performance of their duty. This training ensures that enforcement personnel can educate the public on OHV safety and address unsafe OHV operation.

In addition, Forest Service enforcement personnel are specifically trained to identify and address natural and cultural resource protection. These skills are inherent to their duties.

**Law Enforcement - Page 3**

7. Is the proposed project in accordance with local or federal plans and the OHMVR Division Strategic Plan? (Please select Yes or No) ☒ Yes ☐ No
8. LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:
9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees complements the Applicant's project:

**Law Enforcement - Page 4**

10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES – Describe how your organization is meeting its operation and maintenance needs:  
The Mendocino and Six Rivers NF Patrol District does not operate or manage OHV recreation facilities.
11. The Applicant agrees to enforce the registration of OHVs and the other provision of Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other applicable laws regarding the operation of OHVs? (Please select Yes or No) ☒ Yes ☐ No

## Project Cost Estimate

FOR OFFICE USE ONLY:				Version # _____	APP # _____
<b>APPLICANT NAME :</b>	USFS - Mendocino/Six Rivers NF - Patrol District				
<b>PROJECT TITLE :</b>	Law Enforcement - Mendocino (FINAL)			<b>PROJECT NUMBER (Division use only) :</b>	G09-02-29-L01
<b>PROJECT TYPE :</b>	<input type="checkbox"/> Acquisition <input type="checkbox"/> Development <input type="checkbox"/> Education & Safety <input type="checkbox"/> Ground Operations <input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Planning <input type="checkbox"/> Restoration				
<b>PROJECT DESCRIPTION :</b>	<p>LE activities on the Mendocino NF include public information, education and enforcement, incident management, resource monitoring and protection, crime prevention, restitution, signing and barrier installation consistent with the Forest's "OHV Law Enforcement Plan." The LE Plan provides patrol coverage for public safety, wildlife, soils and habitat protection while sustaining OHV recreation opportunities on 241 miles of motorcycle, ATV and 4WD/dune buggy routes, 1,619 miles of roughly graded roads and 10 acres of open riding area within the Forest's 914,000 acres. These routes are complemented by six highly developed OHV staging areas. The Plan supports enforcement of all laws pertaining to OHV operation; emphasizing noise levels, resource protection and prevention of OHV trespass. LE activities stress public contact, face-to-face information and education, violation prevention, signing and protective barrier installation. MNF's OHV program is widely known as a "model" of successful and innovative management by both the OHV community and environmental interest groups.</p> <p>This request supports U.S. Forest Service direction requiring OHVs on public lands to be "controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands and to minimize conflicts among the various uses of those lands (Travel Management Rule – November 9, 2005, 36 CFR part 212)." Over the last six years OHV visitation on the MNF has increased 16%, from 128,798 to 208,200. The most recent visitor use monitoring surveys that were conducted on the Mendocino NF show that 60% of all recreation visitors on the forest participate in OHV recreation.</p> <p>Patrols provide interaction with the OHV public; reaching beyond the staging areas to the Forest's extensive trail system and remote areas. The MNF provides family oriented OHV recreation, and maintains a history of diligent enforcement of OHV laws indicative of these efforts. The following OHV law enforcement statistics were recorded in 2008 and 2009: 141 Violation Notices (2008) / 111 (2009); 75 Warning Notices (2008) / 46 (2009); 50 Incident Reports (2008) / 37 (2009); 10 Violation of State Law (2008) / 4 in (2009). LEOs patrol in the OHV emphasis areas on a regular basis.</p> <p>Funding for regular reoccurring LEO patrol is not requested in this grant application. On holiday weekends and on days of OHV events held on the Forest, LE will provide extended coverage up to 12 hours each day, including night patrols This is the only grant funding requested for LEO staff salaries. LEO coverage is augmented by 25 pay periods shared by up to 3 FPOs. FPOs enforce most OHV related laws as well as other resource, recreation and use related laws. OHV LE coverage is further supported by Cooperative Law Enforcement Agreements with Colusa, Glenn, and Lake County Sheriff's Offices. These agreements provide extra coverage for county officers to assist during OHV events and holiday weekends. The use of radar and GPS units, Alcohol Screen Devices, and decibel meters are integral for dealing with all aspects of OHV LE in an accurate and professional manner. The Forest has conducted sound checks during 22 organized Enduro events, 13 courtesy sound-check clinics and hundreds of routine and visitor requested compliance tests. In 2006, 17 injury accidents were recorded, with nine recorded in 2007. All OHV Technicians, FPOs, and LEOs are trained to assist the Sheriff's Office in Search and Rescue and injury accidents.</p> <p>Maps, brochures, and signs are provided at staging areas, administrative sites and along Forest access routes. The MNF website provides updated information including current operating conditions and closures, as do 24-hour telephone recordings.</p>				

Project Cost Estimate for Grants and Cooperative Agreements Program - 2009/2010  
Agency: USFS - Mendocino/Six Rivers NF - Patrol District  
Application: Law Enforcement - Mendocino (FINAL)

2/26/2010

	<p>The Forest is experiencing a significant increase in hunters using ATVs. Funding assistance will continue efforts to educate this user group about the importance of staying on designated routes, spark arrestor requirements, legal sound levels, registration, riding double and helmet laws. Labor and cost effective no-dig barriers, fencing and gates were invented on the Mendocino NF and provide protection to sensitive resource and restoration areas.</p> <p>Volunteers continue to play an important role in OHV enforcement efforts during the enduros held on the Forest. They help to educate OHV users by conducting pre-event sound testing and spark arrestor checks. Volunteers also assist with traffic control during OHV events. The all-volunteer National Motorcycle Patrol provides on-site emergency medical response coverage for all enduro events hosted on the Grindstone RD and coordinates their efforts with the Sheriff's Department through the on-site Forest LEO's and FPO's.</p>
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	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
<b>DIRECT EXPENSES</b>							
<b>Program Expenses</b>							
<b>1</b>	<b>Staff</b>						
	Law Enforcement Officers Notes : 7 LEOs base pay; 20 days each	140.000	380.000	DAY	0.00	53,200.00	53,200.00
	Law Enforcement Officers Notes : 8 LEOs, reflecting increased staffing to cover overtime and any relevant travel or per diem for holiday weekends and special events (Enduros and Dualsport events) for off-forest LEO's to assist the Mendocino LE staff.	1000.000	38.000	HRS	38,000.00	0.00	38,000.00
	Other-GRD OHV Tech/FPO GS-7	100.000	281.220	DAY	28,122.00	0.00	28,122.00
	Other-ULRD OHV Tech/FPO GS-7	100.000	258.430	DAY	25,843.00	0.00	25,843.00
	Other-ULRD OHV Tech/FPO GS-6	50.000	225.000	DAY	11,250.00	0.00	11,250.00
	<b>Total for Staff</b>				103,215.00	53,200.00	156,415.00
<b>2</b>	<b>Contracts</b>						
<b>3</b>	<b>Materials / Supplies</b>						
	Safety Equipment Notes : Replacement of worn out OHV safety gear for LEOs and FPOs on Grindstone and Upper Lake RD's.	2.000	1000.000	SET	2,000.00	0.00	2,000.00
	Other-GRD OHV Educational Brochures/Hand	1.000	1000.000	YR	1,000.00	0.00	1,000.00

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	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
	Other-GRD FPO/LEO EMT/SAR Supplies	1.000	1500.000	YR	1,500.00	0.00	1,500.00
	Other-GRD Sound Meter Calibration	4.000	400.000	YR	1,600.00	0.00	1,600.00
	Other-ULRD Sound Meter Calibration	4.000	400.000	YR	1,600.00	0.00	1,600.00
	Other-Motorcycle carrier	2.000	250.000	EA	500.00	0.00	500.00
	<b>Total for Materials / Supplies</b>				8,200.00	0.00	8,200.00
<b>4</b>	<b>Equipment Use Expenses</b>						
	Vehicle Operations and Maintenance	5.000	371.000	MOS	1,855.00	0.00	1,855.00
	Vehicle Operations and Maintenance	7000.000	0.650	MI	4,550.00	0.00	4,550.00
	Vehicle Operations and Maintenance	3.000	296.000	MOS	888.00	0.00	888.00
	Vehicle Operations and Maintenance	2000.000	0.470	MI	940.00	0.00	940.00
	Vehicle Operations and Maintenance	5.000	273.000	MOS	1,365.00	0.00	1,365.00
	Vehicle Operations and Maintenance	4000.000	0.360	MI	1,440.00	0.00	1,440.00
	Vehicle Operations and Maintenance Notes : Fuel usage for OHV Trust Fund purchased ATV's and motorcycles.	400.000	2.500	EA	1,000.00	0.00	1,000.00
	Vehicle Operations and Maintenance Notes : Annual inspections and maintenance of OHV Trust Fund purchased ATV's and motorcycles.	6.000	750.000	EA	4,500.00	0.00	4,500.00
	<b>Total for Equipment Use Expenses</b>				16,538.00	0.00	16,538.00
<b>5</b>	<b>Equipment Purchases</b>						
	Other-video camera Notes : Two video recorder cameras plus installation costs for the Covelo and Grindstone LEOs. See narrative.	2.000	4000.000	EA	8,000.00	0.00	8,000.00
	Other-Off-road Motorcycle	2.000	5000.000	EA	10,000.00	0.00	10,000.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2009/2010  
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	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
	<b>Total for Equipment Purchases</b>				18,000.00	0.00	18,000.00
<b>6</b>	<b>Others</b>						
	Training Notes : FPO initial training for new employees (see narrative).	3.000	1249.000	EA	3,747.00	0.00	3,747.00
<b>7</b>	<b>Indirect Costs</b>						
	<b>Total Program Expenses</b>				149,700.00	53,200.00	202,900.00
	<b>TOTAL DIRECT EXPENSES</b>				149,700.00	53,200.00	202,900.00
	<b>TOTAL EXPENDITURES</b>				<b>149,700.00</b>	<b>53,200.00</b>	<b>202,900.00</b>



Project Cost Summary for Grants and Cooperative Agreements Program - 2009/2010  
Agency: USFS - Mendocino/Six Rivers NF - Patrol District  
Application: Law Enforcement - Mendocino (FINAL)

2/26/2010

	Line Item	Grant Request	Match	Total	Narrative
<b>DIRECT EXPENSES</b>					
<b>Program Expenses</b>					
1	Staff	103,215.00	53,200.00	156,415.00	<p>The FPO's are partially funded from other sources and consequently show a need for different numbers of days.</p> <p>Also, GRD stands for the Grindstone Ranger District and ULRD stands for the Upper Lake Ranger District.</p>
2	Contracts	0.00	0.00	0.00	
3	Materials / Supplies	8,200.00	0.00	8,200.00	
4	Equipment Use Expenses	16,538.00	0.00	16,538.00	<p>Different rates are requested due to the difference in vehicle type and FOR costs. Also, these vehicle will not all be used at the same time.</p>
5	Equipment Purchases	18,000.00	0.00	18,000.00	<p>Two video recorders are for a Covelo and Grindstond LEO. This camera records up to 60 seconds prior to activating "record." The camera and this special feature allows the officer to better identify a violator when only seen for a very short duration, or in large groups and wearing safety equipment which can hides identity. The cameras will also help during court proceedings when securing restitution for damages to the land.</p> <p>Off-road motorcycles for use by Upper Lake LEO's for OHV patrols of the district's trail system. None have been purchased for Upper</p>

Project Cost Summary for Grants and Cooperative Agreements Program - 2009/2010  
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					Lake RD in many years.  Trailer for use by Upper Lake LEO's to transport aforementioned off-road motorcycles.
6	Others	3,747.00	0.00	3,747.00	These are costs associated with the training of three (3) new Forest Service employees to become certified as Forest Protection Officers (FPO's), so they can assist with OHV enforcement efforts.
7	Indirect Costs	0.00	0.00	0.00	
<b>Total Program Expenses</b>		149,700.00	53,200.00	202,900.00	
<b>TOTAL DIRECT EXPENSES</b>		149,700.00	53,200.00	202,900.00	
<b>TOTAL EXPENDITURES</b>		<b>149,700.00</b>	<b>53,200.00</b>	<b>202,900.00</b>	

## Environmental Review Data Sheet (ERDS)

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### ITEM 1 and ITEM 2

#### ITEM 1

- a. ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project? ☐ Yes ☒ No  
(Please select Yes or No)

#### ITEM 2

- b. Does the proposed Project include a request for funding for CEQA and/or NEPA document preparation prior to implementing the remaining Project Deliverables (i.e., is it a two-phased Project pursuant to Section 4970.06.1(b)) (Please select Yes or No) ☐ Yes ☒ No

### ITEM 3 - Project under CEQA Guidelines Section 15378

- c. ITEM 3 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378? ☐ Yes ☒ No  
(Please select Yes or No)
- d. The Application is requesting funds solely for personnel and support to enforce OHV laws and ensure public safety. These activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. (Please select Yes or No) ☒ Yes ☐ No
- e. Other. Explain why proposed activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. DO NOT complete ITEMS 4 – 10

### ITEM 4 - Impact of this Project on Wetlands

### ITEM 5 - Cumulative Impacts of this Project

### ITEM 6 - Soil Impacts

### ITEM 7 - Damage to Scenic Resources

### ITEM 8 - Hazardous Materials

Is the proposed Project Area located on a site included on any list compiled pursuant to Section 65962.5 of the California Government Code (hazardous materials)? (Please select Yes or No) ☐ Yes ☒ No

If YES, describe the location of the hazard relative to the Project site, the level of hazard and the measures to be taken to minimize or avoid the hazards.

### ITEM 9 - Potential for Adverse Impacts to Historical or Cultural Resources

Would the proposed Project have potential for any substantial adverse impacts to historical or cultural resources? (Please select Yes or No) ☐ Yes ☒ No

Discuss the potential for the proposed Project to have any substantial adverse impacts to historical or cultural resources.

### ITEM 10 - Indirect Significant Impacts

**CEQA/NEPA Attachment**